IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc.No.65362 -M of 2006

DATE OF DECISION: DECEMBER 8, 2006

Surjit Singh and others

...PETITIONERS

VERSUS

State of Haryana

...RESPONDENT

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr. S.S.Dinarpur, Advocate,
for the petitioners.
Mr.Partap Singh, Sr.DAG, Haryana.

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The petitioners apprehending their arrest in a non-bailable offence in case FIR No. 94dated 30.9.2006 registered under Sections 148/149/323/324/325/326/379/447/506/511 IPC at Police Station Shahzadpur, District Ambala, have filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail.

I have heard the counsel for the parties and gone through the contents of the FIR.

Counsel for the petitioners contends that as per the version in the aforesaid FIR, the petitioners along with others came on a tractor-trolley having deadly weapons and started loading paddy crop in the trolley and when the complainant and his family members objected to this, they were assaulted by the accused. Counsel contends that in this case, non-bailable offences are under Sections 379 and 506 IPC and the offence under Section 326 IPC has been deleted by the police during investigation. Counsel further contends that there is a dispute about possession of some land and in the occurrence in this case, petitioner No.1 and his brother received injuries. With regard to the cross-version, a case has also been registered. Counsel contends that the allegations made in the FIR are false and the petitioners have been falsely implicated without there being any specific attribution to

them. Counsel further contends that in terms of the interim order dated October 24, 2006, the petitioners have joined the investigation. Counsel for the respondent-State does not dispute this fact.

In view of the above, the interim order dated October 24, 2006 is made absolute on the same terms and conditions.

Disposed of accordingly.

December 8, 2006 (SATISH KUMAR MITTAL)
vkg JUDGE